
Susan Thornton, Director

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES
MINUTES

June 11, 2008

8:30 a.m. to 3:00 p.m.

Room 112 – Capitol

St. Paul, MN 55155

Members present: Sen. Ellen Anderson, Al Berner, Jeff Broberg, Rep. Lyndon Carlson, Rep. Ron Erhardt, Sen. Dennis Frederickson, Nancy Gibson, David Hartwell, John Herman, John Hunt, Mary Mueller, Sen. Pat Pariseau, Rep. Kathy Tingelstad, Sen. Jim Vickerman, Rep. Jean Wagenius

Staff Present: J. Velin, S. Thornton, M. McDonough, M. Banker, D. Griffith

Members excused: Sen. Satveer Chaudhary, Rep. Tom Rukavina,

Co-Chair: Rep. Kathy Tingelstad - June 11 – 8:30 a.m. to 3:00 p.m.

Rep. Kathy Tingelstad called the meeting to order at 8:45 a.m.

Susan Thornton discussed the meeting materials for the agenda.

1. Members report potential conflicts of interest regarding today's business

Members reported no conflicts of interest.

2. Review discussion of June 10 and adopt criteria for "ongoing" projects to request proposals, including a review of the current projects (2005, 2006, 2007 & 2008 appropriations - approximately 230 projects)

Sen. Dennis Frederickson moved that 20 proposals be called in for a hearing based on the compilation of member ranking (See Attachment 1 – pages 5-7 from the 2009 RFP – Phase 1) - motion prevailed.

Members discussed that no other proposals during Phase 1 RFP would be accepted and that there would be an option to decline submitting a proposal.

Sen. Dennis Frederickson moved the following language for incorporation into the 2009 RFP for helping with the selection of the continued projects:

Guidelines:

1. Continue efforts to maintain significant progress to complete a previously defined multi-phase project/program.
2. Continue a multi-phase project that will provide timely and relevant research or baseline data.
3. Are part of a continuum of researching, demonstrating, piloting and refining natural resources practices that can be scaled up for broader implementation.

4. Are part of a coherent plan that is well developed and generally accepted by natural resource professionals.
5. Update or expand important statewide natural resource data or information.
6. Enhances the outdoor recreation system (M.S. Chapter 86A), the metropolitan regional park system and the Local Grants Program administered by the DNR for non-metro regional and local parks.

Selection criteria:

- Have a statewide or regional significance.
- Have long term relevance.
- Are a strategic or catalytic investment.
- An urgent need for funding (do not have significant existing funds remaining from new or existing appropriations).
- Have proven success in achieving results.
- Have a project manager that has successfully managed past Trust Fund projects.

- motion prevailed.

The following was drafted into the Phase 1 RFP as a result of member discussion:

“For Phase 1 funding priorities, all existing Trust Fund funded projects were reviewed, projects that might benefit from additional funding were identified, and a selection of those projects identified were chosen as priorities for the LCCMR to consider for additional funding. Specific projects within this selection are being asked to submit a proposal requesting additional funds that outlines how such funds could extend and/or accelerate their existing efforts. Those projects that respond to this request will be asked to present their proposals before the LCCMR on September 23 or 24.

Proposals from projects and organizations not specifically identified in the Phase 1 Funding Priorities will not be accepted or considered as part of the Phase 1 RFP process. A Phase 2 Request for Proposal (RFP) will be open to the public for all proposals consistent with the funding priorities identified for Phase 2. Phase 2 funding priorities will be determined in July 2008 and a Phase 2 RFP is expected to be issued on July 21, 2008. Projects and organizations not specifically identified and requested to submit a proposal for Phase 1 should review the Phase 2 priorities and, if appropriate, consider submitting a proposal under that process.

Projects submitting a proposal under Phase 1 are not guaranteed to receive additional funding. Proposals will be evaluated and considered alongside Phase II Proposals.”

3. Adopt RFP outline for “ongoing” projects based on earlier decisions

Susan Thornton explained the draft 2009 RFP.

Sen. Pat Pariseau moved to adopt the 2009 RFP with staff being instructed to make the necessary corrections – motion prevailed.

4. Work program time extensions for review – Affirm timeline extensions for appropriations as adopted in M.L. 2008, Chapter 367

M.L. 2008 extension of appropriation availability for:

- a. **M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 11, Subd. 6(e) “Metropolitan Regional Parks Acquisition, Rehabilitation, and Development” - extended to June 30, 2010 ***

Arne Stefferud (Met Council) and John Von DeLinde (Director of Parks and Recreation for Anoka Cty) discussed their request for a time extension for the portion of their appropriation (\$525,000) from the Environment and Natural Resources Trust Fund to match a \$525,000 Federal

Transportation Enhancement grant to construct 2.75 miles of bike trail and support facilities (lighting, benches, signage) for Rice Creek North Regional Trail in Rice Creek Chain of Lakes Park Reserve.

Rep. Kathy Tingelstad moved approval for extending the completion date to June 30, 2010 to use the allocation for a federal EA-21 Trail match for M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 11, Subd. 6(e) titled "Metropolitan Regional Parks Acquisition, Rehabilitation, and Development" – motion prevailed.

b. M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 11, Subd. 7(i) "Improving Water Quality on the Central Sands – extended to June 30, 2010 *

John Moncreif (U of M), Carl Rosen (U of M), and Bob Schaeffer (Central Lakes College) discussed why they request the time extension for their appropriation.

Sen. Jim Vickerman moved approval for extending the completion date to June 30, 2010 for M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 11, Subd. 7(i) titled "Improving Water Quality on the Central Sands" – motion prevailed.

c. M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 11, Subd. 6(p) "Land Acquisition, Minnesota Landscape Arboretum" – extended to June 30, and M.L. 2003, Chp. 128, Art. 1, Sec. 9, Subd. 6(l) as amended by M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 150, as extended by M.L. 2006, Chp. 243, Sec. 16, "Land Acquisition, Minnesota Landscape Arboretum" – extended to June 30, 2010 *

Peter Moe (Director of Operations, U of M Landscape Arboretum) discussed their M.L. 2003, Chp. 128, Art. 1, Sec. 9, Subd. 6(l) as amended by M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 150, as extended by M.L. 2006, Chp. 243, Sec. 16, "Land Acquisition, Minnesota Landscape Arboretum" work programs. The parcel they are interested in acquiring is Exhibit A on the map handed out. It has been identified as the number one parcel to acquire. It is between the Arboretum and the research center includes much of there watershed. It also has over 20 acres of high quality Maple and Basswood big woods forest. There is only two percent of the big woods forest left according to the Minnesota DNR. There is a pristine wetland on this property as well as several thousand feet of lakeshore on Wood Duck Pond which is right in the middle of the Arboretum. Mr. Moe explained that they have been trying to acquire this property since 1974.

The University of Minnesota's general counsel is negotiating for the Arboretum. Mr. Moe stated that the Regents office may be voting this week for use of eminent domain acquisition. Mr. Moe said the heirs are interested in looking at some unique arbitration that has a floor and a ceiling. The appraisals vary from \$3 million to \$10 million but with a floor and a ceiling the University would appoint one arbitrator and the heirs would appoint an arbitrator and then there would be a neutral party that would agree on a value within the range of the two parties. Mr. Moe thinks that this will happen but will not happen before June 30, 2008. If this doesn't happen, the Arboretum would like to purchase Exhibit B on the map handed out. Rep. Ron Erhardt asked what basis they had for using eminent domain. Mr. Moe explained that it would be a negotiated process by the U of M with the heirs.

Susan Thornton explained in order to use the Trust Fund money they would have to have willing sellers as stated in the appropriation language. If the sellers are not willing, this money cannot be used for the purchase of the land.

Sen. Dennis Frederickson moved to approve for extension of the completion date to June 30, 2010 for M.L. 2003, Chp. 128, Art. 1, Sec. 9, Subd. 6(l) and M.L. 2005, First Special Session, Chp. 1, Art. 2, Sec. 11, Subd. 6(p) both titled "Land Acquisition, Minnesota Landscape Arboretum" – motion prevailed.

5. 2008 Work programs approval – possible presentations to be scheduled on projects removed from consent agenda

- **Subd. 3j – Local Initiatives Grants – Bertram Chain of Lakes Acquisition ***

Wayne Sames (DNR), Marc Mattice (Wright County Parks Administrator), Tom Pawelk (City of Monticello Parks Superintendent) gave an overview of the Local Initiatives Grants – Bertram Chain of Lakes Acquisition work program.

David Hartwell moved to approve the work program for M.L. 2008, Chp. 367, Sec. 2, Subd 3j titled "Local Initiatives Grants – Bertram Chain of Lakes Acquisition" – motion prevailed.

• **Subd. 4g – Southeast Minnesota Showcase Stream Restoration Projects ***

David Hartwell moved to approve M.L. 2008, Chp. 367, Sec. 2, Subd. 4g titled "Southeast Minnesota Showcase Stream Restoration Projects" as presented contingent on a revision incorporating the following:

Approval is contingent on revision of the work program as follows:

1. *Expand the discussion of the role of NRCS to address items in the DNR June 9 letter regarding native American historic sites.*
2. *Discuss the working relationship of regional DNR staff regarding the design of the stream restorations.*
3. *Discuss how the restorations will be prioritized for funding.*
4. *Discuss how consideration will be given to public access to a stream in the prioritization process.*

If the work program is amended to address the requested revisions, LCCMR staff will process the approval - motion prevailed.

6. Moved from June 10, 2008 Agenda – Emerging Issues Account – Review letter received

Susan Thornton began the discussion related to the Emerging Issues Account. John Hunt explained his discussions with Ms. Phyllis Green related to a letter from Ms. Green dated June 6, 2008. Ms. Green sent in an application for the "Emerging Issues Account" on VHS and Ballast Water. Susan Thornton explained there is \$155,000 available July 1, 2008 and \$13,000 remaining in the 2007 Emerging Issues Account.

Rep. Jean Wagenius moved to post on the LCCMR website the Emerging Issues Account criteria and process and to schedule at the next meeting a broader discussion of VHS and Ballast Water - motion prevailed.

Mary Mueller suggested adding to the Emerging Issues Account description a phrase regarding issues being of an emergency nature.

7. Presentations

a. State Comprehensive Outdoor Recreation Plan (SCORP) – Wayne Sames (DNR) *

Wayne Sames (DNR) presented an overview of the State Comprehensive Outdoor Recreation Plan (SCORP).

b. Note: Other presentations may be added on resource issues

Wayne Sames explained the minor edits to M.L. 2008, Chp. 367, Sec. 2, Subd. 3k "Conservation Partners / Environmental Partnerships Matching Grant Program".

David Hartwell moved to approve the amended M.L. 2008, Chp. 367, Sec. 2, Subd 3k titled "Conservation Partners / Environmental Partnerships Matching Grant Program" to approve the use of classified staff – motion prevailed.

8. Other business

- Next meeting will be Tuesday, July 8, 2008. Co-Chair will be David Hartwell. Topic: Statewide Conservation and Preservation Plan Report

Rep. Kathy Tinglestad approved expenses for members to attend the "2008 View from the lake trips aboard the L.L. Smith, Jr. Research Vessel". See the following website for more information: <http://www.seagrant.umn.edu/vfl/register> .

Sen. Ellen Anderson had a suggestion to add on July 18 meeting a presentation by Mike Davis on the Restoration of the Mississippi Gorge.

Upcoming Meetings with Chair Rotation:

July 8, 2008 – Appointed Citizen	September 23, 2008 – Appointed Citizen
July 9, 2008 – Senate	September 24, 2008 – Senate
July 17, 2008 – House	September 30, 2008 - House
July 18, 2008 – Appointed Citizen	December 2, 2008 – Appointed Citizen
August 12-13, 2008 – Senate	December 9, 2008 - Senate
September 16-17, 2008 – House	December 10, 2008 - House

9. Adjourn

Meeting adjourned at 2:30 p.m.

Respectfully submitted,

Dennis Frederickson

